

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GARY LOUIS BLANK,
Plaintiff,
v.
WARDEN,
Defendant.

Case No. [22-cv-07285-JST](#)

ORDER OF DISMISSAL

On November 18, 2022, the Court docketed a 2-page typed unsigned document received from Plaintiff, with the first page appearing to be a “Claim of Lien” and the second page titled “Commercial Affidavit.” ECF No. 1. Because Plaintiff sought relief from this Court, the Court opened an action pursuant to this filing. That same day, the Court sent Plaintiff deficiency notices, instructing Plaintiff that he was required to (1) file his complaint on a complaint by a prisoner form, and (2) either pay the filing fee or file an application for leave to proceed *in forma pauperis*. ECF Nos. 2, 3. The Court sent Plaintiff a blank complaint form and a blank *in forma pauperis* application form. ECF Nos. 2, 3.

On December 6, 2022, Plaintiff filed a complaint form that listed his contact information, place of present confinement, and the case number on the first page of the form, but contained no other information and was not signed. ECF No. 5 at 1-3. Plaintiff attached to this complaint form the first page of the document he submitted on November 18, 2022. ECF No. 5 at 4. That same day, Plaintiff also filed a blank *in forma pauperis* application. ECF No. 6. ECF Nos. 5 and 6 do not satisfy the filing requirements. To proceed with this action, Plaintiff is required to file a complaint on a complaint by a prisoner form. Among other requirements, Plaintiff must identify the defendants and specify the legal cause of action that he is bringing against each defendant, and

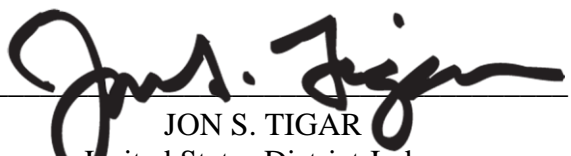
1 the supporting facts. In addition, Fed. R. Civ. P. 11 requires that all pleadings be signed by a
2 party personally if the party is unrepresented. ECF No. 5 does not meet these requirements. In
3 addition, a plaintiff may not bring an action in federal court unless he pays a filing fee at the outset
4 or is granted leave to proceed *in forma pauperis*, which allows him to pay the filing fee in
5 installments. Plaintiff has not paid the full filing fee and has not filed a motion to proceed *in*
6 *forma pauperis*.

7 The deadline to file (1) a complaint and (2) either pay the filing fee or file an application
8 for leave to proceed *in forma pauperis* has passed. Plaintiff has not filed the required documents.
9 This action cannot proceed without a signed complaint on the proper form with the necessary
10 information, and either the filing fee or an application to proceed *in forma pauperis*. Accordingly,
11 this action is DISMISSED for failure to meet these filing requirements. The dismissal is without
12 prejudice to Plaintiff filing a motion to reopen the action. Any motion to reopen must be
13 accompanied by a signed complaint on the proper form with the necessary information and either
14 the filing fee or an application to proceed *in forma pauperis*.

15 The Clerk shall enter judgment against Plaintiff, terminate all pending motions as moot,
16 and close the case.

17 **IT IS SO ORDERED.**

18 Dated: May 25, 2023

19 
20 JON S. TIGAR
United States District Judge